REMARKS

Status of the Claims

Claims 1, 2 and 8 have been amended. Claim 5 is an original claim. Claims 3, 4, 6, 7 and 9 have been canceled.

Claim Rejections – 35 USC § 112

Claim 8 was rejected under 35 U.S.C. 112 second paragraph as being indefinite. To obviate the rejection, claim 8 has been amended and uses the term "substrates" which coincides with the use of that term in claim 1 on which claim 8 is dependent upon. The rejection of claim 8 should be withdrawn.

Claim Rejections – 35 USC § 102

Claims 1, 2, 5 and 8 were rejected under 35 U.S.C. 102(b) as being anticipated by Rattee et al. US Patent 4,315,790. The Examiner's position was that the "plastic" and "glass" substrates of claim 1 could be a synthetic fabric or a fiberglass fabric, respectively.

A fair reading of Applicants' specification shows that Applicants invention is not directed to the coating of fabrics but to non-fabric substrates of vehicle bodies, body parts and body fittings as has been set forth in the amended claims. The term "fabric" is not even mentioned in Applicants' specification. In view of the above, to take the position that "glass" and "plastics' cover fabrics is not sensible. To further clarify these terms, which should not be required, the claims have been amended to "non-fabric" substrates. Examples 1 and 2 (pages 19-21 of the specification) show coating a metal test panel (page 20, line 19) which clearly is not a fabric with the backing foil having a coating layer of a binder with free-radically polymerizable olefinic double bonds and curing the binder layer with radiation and thereby forming a coating on the substrate and subsequently removing the backing layer.

Further, Applicants' claims are directed to a coating applied by screen printing that is curable by thermal or high energy electron beam or UV radiation. Rattee on the other hand only prints an ink onto a coating adhered to a substrate. Rattee's ink is not a coating and not curable by

thermal or high energy radiation. On pages 5 and 6 of the previously submitted amendment dated September 19, 2005, Applicants pointed out in detail how Rattee differs from Applicants invention. It is suggested that the Examiner review this discussion.

For a reference to anticipate, it must contain all of the steps of a claimed process and the constituents used in that process. The above discussion clearly points out that Rattee is deficient in many aspects and can not anticipate amended claims 1, 2 and 8 and claim 5 of Applicants' invention and the rejection must be withdrawn.

Claim Rejections – 35 USC § 103

Claim 7 was rejected under 35 U.S.C. 103(a) as being unpatentable over Ratte et al. US 4,315,790. Claim 7 has been canceled which obviates the rejection.

Claims 1, 2, 5, 7 and 8 were rejected under 35 U.S.C. 103(a) as being un patentable over George US Patent 4,061,516 taken in view of Vogels US 2002/0022575 or Rattee et al. US Patent 4,315,790. The claims have been amended to a process which "consists of" steps a) through d) and does not include application of multiple layers as are required by George '516. The Examiner's attention is called to the Examples 1 and 2 (pages 19-21 of the specification) wherein the backing foil coated with a screen printed layer of a curable coating composition of a binder containing free-radically polymerizable double bonds is applied directly to a metal substrate and cured with IR or UV radiation and the backing foil is removed. The application of intermediate multiple layers is not shown nor are the application of multiple layers taught in the specification. Applicants' amended claims that use the term "consisting of" to describe the process steps are directed to the exact process as shown in the Examples. No additional process steps are included as are required by the cited references, in particular, George '516.

Further, George '516 is directed to repairing printed wood grain patterns of furniture components. The sheet structure used by George '516 is substantially different from that used in Applicants' process.

George '516 sheet comprises a carrier sheet with a printed design thereon over which an opaque coating is applied and then an adhesive layer. There is no suggestion or teaching that any of these layer can be omitted nor is there any such teaching in either Vogels '575 or Rattee '790 that certain layers could be eliminated from the George '516 structure.

Applicants amended process claims are directed to using a backing foil that consists of a foil and an uncured or partially cured coating that is applied by screen printing. The amended claims do not cover the application of the multiple layer sheet structure of George '516.

Vogels '575 was cited by the Examiner to show that screen printing can be used to apply an acrylic layer to another layer. However, Vogels '575 teaches the production of multilayer composite sheet materials by laminating radiation curable layers together and curing the layers by radiation. Vogels '575 has nothing to do with the use of backing foils coated with a curable coating layer used to coat a substrate which is Applicants' invention as set forth in the amended claims and has nothing to do with the repair technique taught by George '516. There is no motivation to combine the teachings of Vogels '575 with George '516 and even if one did as suggested by the Examiner, applicants' novel process as claimed would not result. George '516 has many more layers of components in the sheet as do Applicants and simply is not the process that is claimed by Applicants, particularly in view of the amendment of the process to "consisting of" steps a) through d) which precludes any additional steps . The many deficiencies of Rattee '790 have been pointed out above and will not be repeated here. Neither Vogels '575 nor George '516 make up for these deficiencies of Rattee '790. In view of the above discussion, the obviousness rejection of the claims based on the combination of George '516, Vogels '575 and Rattee '790 should be withdrawn.

Double Patenting Rejections

Claims 1, 5, 7 and 8 were rejected under the judicially created doctrine of obviousness double patenting over Claims 1, 5, 9, 13,

17, 21, 25, 29, and 33 of U.S. Patent No. 6,933,006. It was acknowledged by the Examiner that '006 was silent on screen printing of the coating on the backing foil, which, as pointed out above, is key to Applicants novel process. Since DuPont has 100% ownership of the subject application and the aforementioned U.S. Patent No. 6,933,006, a terminal disclaimer has been submitted herewith which obviates this double patenting rejection.

Further, U.S. Patent No. 6,933,006 and the subject application, at the time the invention of the subject application was made, were both owned by the same party (E.I. du Pont de Nemours and Company) and therefore, US Patent No. 6,933,006 is not prior art under 35 U.S.C. 103(c). In view of the above, the rejection based on obviousness of the claims in view of US Patent No. 6,933,006 should be withdrawn.

SUMMARY

In view of the foregoing amendments and remarks, Applicants submit that this application is in condition for allowance. In order to expedite disposition of this case, the Examiner is invited to contact Applicants' representative at the telephone number below to resolve any remaining issues. Please charge the fee due for the Terminal Disclaimers and any other fee due which is not accounted for to Deposit Account No. 04-1928 (E.I. du Pont de Nemours and Company).

Respectfully submitted,

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